

Application No.: 09/745,751  
Amendment Rule 111 dated September 29, 2005  
Reply to Office Action dated June 29, 2005  
Attorney Docket No.: 3486-018

## **EXHIBIT J**

**Lance TIMMERMAN, DMD**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.	:	09/745,751	Confirmation No.:	1104
Applicant	:	HOCHMAN, Mark N.		
Filed	:	December 21, 2000		
TC/A.U.	:	3763		
Examiner	:	HAYES, Michael J.		
Docket No.	:	3486-018		
Customer No.	:	22440		

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**DECLARATION UNDER 37CFR 1.132**

I, Lance Timmerman, DMD, hereby make the following declaration in support of the above-named application:

1. I reside at Maple Valley, Washington.
2. I am a licensed dentist and I have been practicing Dentistry for 7 years.
3. I have reviewed many articles in this field.
4. A copy of current Curriculum Vitae is attached providing more details of my background and expertise in the field of dentistry.
5. One problem in the field of dentistry and more particularly, during the injection of an anesthetic into a living tissue prior to performing dental procedures pertains to needle bending. As a needle is introduced through tissues to a preselected site for delivering an anesthetic, it frequently bends. This action causes discomfort in the patient and pain.

In many instances, a patient either stiffens up, or, worse, tries to move involuntary away from the needle, or close his mouth, thereby causing even more discomfort.

6. Recently, Dr. Mark Hochman disclosed to me his invention, that solves the problem of needle bending. More specifically, Dr. Hochman has disclosed to me:

a method of injecting a drug into a patient through a needle having a lumen comprising the steps of:

advancing said needle into the tissue linearly along a longitudinal axis of the needle;

simultaneously rotating the needle along its longitudinal axis to reduce deflection of the needle; and

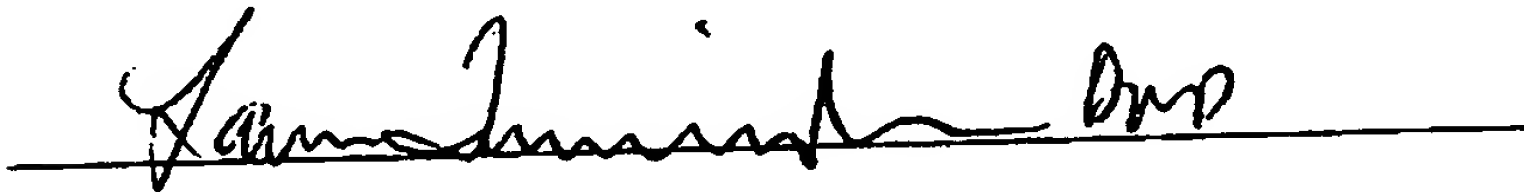
injecting the drug.

7. Initially, I had some doubts that this procedure would work. However, I have tried this technique at least 50 times on patients and I found that it is very effective in reducing needle bending and, subsequently, in reducing or eliminating patient discomfort and pain.

8. I found that for the procedure was effective as long as I kept the needle rotating to change the orientation of the bevel of the needle in somewhat continuous manner during the insertion, and that the total angle of rotation of the needle, or whether it was rotated only in a single direction, or back and forth, did not matter that much. I found

that it was very easy for me to determine intuitively how much to rotate the needle from the reaction of the patient. More particularly, if I did not rotate the needle enough to prevent it from bending, the patient became uncomfortable as indicated by his body language and other indicia, including verbal communication from the patient, Because of this immediate voluntary or involuntary feedback from the patient, it was very easy to adjust the procedure to each patient as required.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A handwritten signature in black ink, appearing to read "Lance Timmerman", is written over a horizontal line.

Lance Timmerman DMD

Date: 9-7-05